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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,106	10/24/2003	Donald J. Stavely	200310789-1	1635

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EXAMINER

SELBY, GEVELL V

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/693,106	Applicant(s) STAVELY ET AL.	
	Examiner Gevell Selby	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 1-11, 15-24, 26, and 29-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Wasula et al., US 2002/0054224.**

In regard to claim 1, Wasula et al., US 2002/0054224, discloses a method for managing the operation of a digital camera, comprising:

operating the digital camera in a first mode (see para. 38: capturing and transferring images with first profile);

entering a second mode (see para. 38: capturing and transferring images with second profile) in the digital camera in response to a request from a user (see para. 39);

receiving in the digital camera an electronic address associated with the second mode (see figure 3a, line 13: Network service provider destination);

associating with the electronic address at least one digital image captured while the digital camera is in the second mode (see figure 3B, block 320 and par. 37); and

sending automatically the at least one digital image to the electronic address (see para. 32).

In regard to claim 2, Wasula et al., US 2002/0054224, discloses the method of claim 1, further comprising: protecting a profile associated with the first mode while the digital camera is in the second mode (see para. 35).

In regard to claim 3, Wasula et al., US 2002/0054224, discloses the method of claim 2, wherein protecting a profile associated with the first mode comprises preventing the profile from being viewed (see para. 35).

In regard to claim 4, Wasula et al., US 2002/0054224, discloses the method of claim 2, wherein protecting a profile associated with the first mode comprises preventing the profile from being modified (see para. 35).

In regard to claim 5, Wasula et al., US 2002/0054224, discloses the method of claim 2, wherein the profile comprises settings of the digital camera, at least one digital image, and an electronic address that are associated with the first mode (see para. 31 and 37).

In regard to claim 6, Wasula et al., US 2002/0054224, discloses the method of claim 1, wherein the electronic address associated with the second mode is received via input controls of the digital camera (see para. 39: the user selects a profile with an address associated with it).

In regard to claim 7, Wasula et al., US 2002/0054224, discloses the method of claim 1, wherein the electronic address associated with the second mode is retrieved from a list of screen names and their corresponding electronic addresses stored in the digital camera (see para. 39: the user selects a profile with an address associated with it).

In regard to claim 8, Wasula et al., US 2002/0054224, discloses the method of claim 1, wherein the electronic address associated with the second mode is received from an external device (see para. 30).

In regard to claim 9, Wasula et al., US 2002/0054224, discloses the method of claim 1, wherein the first mode is associated with a first user and the second mode is associated with a second user (see para 35).

In regard to claim 10, Wasula et al., US 2002/0054224, discloses the method of claim 1, wherein the at least one digital image is sent to the electronic address via an external device with which the digital camera is in communication (see para 32).

In regard to claim 11, Wasula et al., US 2002/0054224, discloses the method of claim 10, wherein the external device is one of a personal computer, a commercial photographic kiosk, and a radiotelephone (see para 26).

In regard to claims 15 and 29, Wasula et al., US 2002/0054224, discloses a digital camera, comprising:

mode control logic (see figure 1, element 18: Autotransfer Preference Mode) configured to switch the operation of the digital camera between a first mode (see para. 38: capturing and transferring images with first profile) and a second mode (see para. 38: capturing and transferring images with second profile), the second mode having an associated electronic address mode (see figure 3a, line 13: Network service provider destination);

an imaging module (see figure 1, element 14) to convert optical images to digital images (see para. 23);

image management logic (see figure 1 , element 18) configured to associate with the electronic address at least one digital image produced by the imaging module while the digital camera is in the second mode (see figure 3B, block 320 and par. 37); and

a communication subsystem configured to send automatically the at least one digital image to the electronic address (see para. 25).

In regard to claims 16 and 30, Wasula et al., US 2002/0054224, discloses the digital camera of claims 15 and 29, respectively, further comprising: input controls (see figure 1, element 24) for entry of the electronic address (see para. 39).

In regard to claims 17 and 31, Wasula et al., US 2002/0054224, discloses the digital camera of claims 15 and 29, respectively, wherein the mode control logic is further configured to protect a profile associated with the first mode while the digital camera is in the second mode (see para 35).

In regard to claims 18, Wasula et al., US 2002/0054224, discloses the digital camera of claim 17, wherein the mode control logic is configured to prevent the profile from being viewed (see para. 35).

In regard to claim 19, Wasula et al., US 2002/0054224, discloses the digital camera of claim 17, wherein the mode control logic is configured to prevent the profile from being modified (see para. 35).

In regard to claim 20, Wasula et al., US 2002/0054224, discloses the camera of claim 17, wherein the profile comprises settings of the digital camera, at least one digital

image, and an electronic address that are associated with the first mode (see para. 31 and 37).

In regard to claim 21, Wasula et al., US 2002/0054224, discloses the digital camera of claim 15, further comprising: a memory (see figure 1, element 28) to store a list of screen names and their corresponding electronic addresses, wherein the mode control logic is further configured to retrieve from the list the electronic address associated with the second mode (see para. 39: the user selects a profile with an address associated with it).

In regard to claim 22, Wasula et al., US 2002/0054224, discloses the digital camera of claim 15, wherein the communication subsystem is further configured to receive the electronic address from an external device (see para. 30).

In regard to claim 23, Wasula et al., US 2002/0054224, discloses the digital camera of claim 15, wherein the communication subsystem is configured to send the at least one digital image to the electronic address via an external device with which the communication subsystem is in communication (see para 32).

In regard to claim 24, Wasula et al., US 2002/0054224, discloses the digital camera of claim 23, wherein the external device is one of a personal computer, a commercial photographic kiosk, and a radiotelephone (see para. 26).

In regard to claims 26 and 32, Wasula et al., US 2002/0054224, discloses the digital camera of claims 15 and 29 respectively, wherein the first mode is associated with a first user and the second mode is associated with a second user (see para 35).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 12-14, 25, 27, 28, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasula et al., US 2002/0054224, in view of Safai et al., US 6,167,469.**

In regard to claims 12-14, 25, 27, 28, 33, and 34, Wasula et al., US 2002/0054224, discloses the method and digital camera of claims 1, 15, and 29. The Wasula reference does not disclose wherein at least one digital image is sent to the electronic address via a wireless communication link or wherein the electronic address associated with the second mode is an e-mail address or a uniform resource location.

Safai et al., US 6,167,469, discloses a digital camera wherein at least one digital image is sent to the electronic address via a wireless communication link (see column 18, lines 3-16) or wherein the electronic address associated with the second mode is an e-mail address (see column 8, lines 61-67) or a uniform resource location (see column 14, lines 59-64).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Wasula et al., US 2002/0054224, in view of Safai et al., US 6,167,469, wherein at least one digital image is sent to the electronic address via a wireless communication link and wherein the electronic address associated with the second mode is an e-mail address or a uniform resource location, in order to

Art Unit: 2622

give users more options of how to transfer the image and allow them to make transfers easier from remote locations.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,715,003, discloses a digital camera that allows user to input a location to transfer images.

US 2002/0047904 discloses a digital camera that only allows authorized users to transfer images.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs


TUAN HO
PRIMARY EXAMINER